

REMARKS

Reconsideration and the timely allowance of the pending claims, in view of the amendments and remarks herein, are respectfully requested.

Claims 15-65 are presently pending. Claims 15, 22, 35, 37 and 49 have been amended to present a clearer description of the claim subject matter. Support for these amendments can be found throughout the specification, including paragraphs [0027] and [0028]. Thus, claims 15-65 are presented for consideration.

Applicant's thank the Examiner for the telephone interview of April 8, 2008. In that telephone interview, the Examiner stated that the Office Action mailed on March 17, 2008 erroneously rejected claims 15-26 under 35 U.S.C. §103. The Examiner stated that claims 15-26 are not rejected under 35 U.S.C. §103, but are only rejected 35 U.S.C. §112 for the reasons stated in the Office Action.

Claim Rejections under 35 U.S.C. §112

Claims 15, 22, 35, 37 and 49 have been amended thereby mooted the rejections made thereto under 35 U.S.C. §112.

Claim Rejections under 35 U.S.C. §102

Claims 35 and 37 recite, *inter alia*, that (1) the write element is repositioned to be positioned at least partially over another track on the storage medium, and that (2) while the write element is positioned at least partially over another track on the storage medium, (3) at least a portion of the certification pattern that is previously written to a track is read.

Teo discloses a disk drive with optimized read gate delay and a method of writing data to a disk drive. However, Teo's method does not disclose the combination of (1) writing a certification pattern to a data area of one track with a write element, (2) the repositioning of the write element to be positioned at least partially over another track on the storage medium, and, (3) while the write element is positioned at least partially over the other track, read at least a portion of the certification pattern written to the first track, as recited by Applicant in claims 35 and 37. Applicant's claimed invention has the advantage that the write element is repositioned to another track and is therefore ready to immediately carry out some other action such as, for example, to write certification data to the next track. Accordingly, at the time that the write element is positioned over this subsequent track, the read element is over an earlier track to which certification data has already been written and, therefore, the read

element can read that previously written certification data at that time. Thus, Applicant's claimed invention leads to significant time savings.

For all of the foregoing reasons, Teo does not disclose all elements of Applicant's claimed invention, and therefore is not a proper basis for a §102(b) rejection thereof. Nor is there any disclosure or teaching in Teo that would have suggested Applicant's claimed invention to one of ordinary skill in this art. Thus reconsideration and withdrawal of this rejection, and allowance of claims 35-37 is respectfully requested.

Claim Rejections under 35 U.S.C. §103

Independent claims 27, 32, 48, 51, 52 and 59 recite, *inter alia*, writing a first portion of a position field of a servo frame and writing a second portion of said position field of said servo frame.

Teo discloses the writing of PLL fields 28. However, Teo's PLL fields are timing fields and not position fields. The Examiner is referred by way of example to paragraphs 105 and 106 of the present specification where the differences between timing fields and position fields are explained, though these are well known to the person of ordinary skill in this art in any event. Moreover, Teo's PLL fields are timing fields for the data that is stored on the disk and are not in or for the servo frames on the disk of Teo. As is entirely conventional in hard disks, as is well known to the person of ordinary skill in this art, these PLL timing fields in Teo are written just before data so that the read head can know the frequency that is used to write the data to the hard disk and therefore can lock onto that frequency when reading back the data. In short, Teo's data PLL field 28 is a timing field for data. (The Examiner should bear in mind that the timing field in the servo frame allows the phase locked loop of the servo mechanism of a hard disk drive to lock onto the servo frame when the hard disk drive is in use by an end user and is different from the timing fields used for the data.) The timing fields for data in Teo are different from Applicant's recited position field of a servo frame. Thus, Teo does not disclose writing a position field of a servo frame, as recited by Applicant.

Further, in Teo, the PLL field is not written in two portions. Teo's PLL field 28, which is a timing field of user data, is written in one single step. Thus, Teo does not disclose writing a position field in two steps, as recited by Applicant.

Zhu does not disclose what is missing in Teo. Zhu discloses a system and method for performing a combined media certification and servo data writing function, but not the writing of position fields of servo frames in two steps, as recited by Applicant.

Thus, for the above cited reasons, Teo and Zhu fail to disclose all of the elements recited in Applicants' claimed invention, thereby failing to make Applicants' invention a predictable use of prior art elements. Further, Teo and Zhu fail to provide a basis to establish obviousness under additional rationales, including simple substitution for one known element for another to obtain predictable results, use of known technique to improve similar device in the same way, applying a known technique to a known device ready for improvement to yield predictable results, obvious to try, and the presence of a teaching, motivation, or suggestion. Thus, reconsideration and withdrawal from this rejection, and allowance of claims 27-34 and 38-65 is respectfully requested.

CONCLUSION

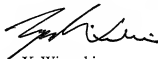
All matters having been addressed and in view of the foregoing, Applicant respectfully requests the entry of this paper, the Examiner's reconsideration of this application, and the immediate allowance of all pending claims.

Applicant's representative remains ready to assist the Examiner in any way to facilitate and expedite the prosecution of this matter. If any point remains in issue which the Examiner feels may be best resolved through a personal or telephone interview, please contact the undersigned at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975 (Ref. No. 011765-0307460). The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN LLP



Tyson Y. Winarski
Reg. No. 41,381
Tel. No. 703.770-7712
Fax No. 703.770-7701

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P.O. Box 10500
McLean, VA 22102
(703) 770-7900